

Instrument prepared by:

**VIRGINIA GAS AND OIL BOARD**

Order recorded under:

**CODE OF VIRGINIA****§ 45.1-361.26****VIRGINIA:****BEFORE THE GAS AND OIL BOARD****APPLICANTS:**

Equitable Production Company on behalf of  
James J. Hamilton and NRP (Operating) LLC  
on behalf of ACIN LLC.

**DOCKET NO.****04-1214-1372-01****RELIEF SOUGHT:**

**Issuance:** A Supplemental Order for Disbursement of Escrowed Funds

**Action:** Amending Prior Orders Affecting Drilling VC-535601, Tract 1  
(Referenced herein as "the Subject Drilling Unit")

**Location:** Dickenson County, Virginia

**Action Details:**

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit VC-535601 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Acreage Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

**REPORT OF THE BOARD****FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on July 21, 2009 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** James E. Kaiser, Esq. appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and**

authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. On December 14, 2004, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Dickenson County on April 16, 2005, Deed Book 410, Page 645-664; Instrument Number 050000624. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk on August 18, 2005, Deed Book 416, Page 088-103; Instrument Number 050001746 (hereafter all orders are collectively referred to as the "Pooling Orders").
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, NRP (Operating) LLC (ACIN) was a conflicting claimant in unit Tract 1 with James J Hamilton in the Subject Drilling Unit and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding Tract 1, a copy of which is attached to and made a part hereof, states under oath that NRP (Operating) LLC (ACIN) and the Applicants have entered into an agreement with regards to Tract 1 and that by the terms of the agreements, NRP (Operating) LLC (ACIN) has entered into a split agreement regarding this Tract and escrow regarding these individual conflicting claims detailed herein, is no longer required.
- 4.4 The Unit Operator gave notice to NRP (Operating) LLC (ACIN) and the applicants that the Board would consider its disbursement authorization at its hearing on July 21, 2009, and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tract 1 as identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 1 and the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

*The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.*

5.2 Applicant has certified and represented to the Board that:

- (1) NRP (Operating) LLC on behalf of ACIN LLC and James J. Hamilton are the owners of the coalbed methane gas and oil acreage estate underlying VGOB Tract 1 of the Subject Drilling Unit;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

**VGOB Approved Disbursement**  
**VGOB 04-1214-1372-01**

Acreage Fraction	Acreage Interest	Split Agreement	Acres	% of Escrowed Funds
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**Table 1**

Tract 1							
Item	Tract	Disbursement Table					
						36.98	
1	1	James J. Hamilton / 743 Copperhead Road / Coeburn, VA 24230		20.0300	75.0%	15.02	40.62%
2	1	ACIN / Attn: John H. Mooney / NRP Operating LLC / 5260 Irwin Road / Huntington, WV 25705		20.0300	25.0%	5.01	13.54%

**6. Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

**7. Conclusion:**


Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED**.

**8. Appeals:**

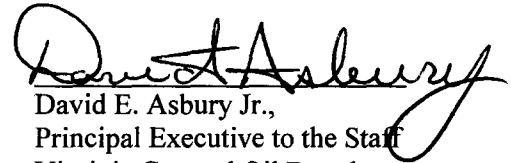
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14 day of Sept, 2009, by a majority of the Virginia Gas and Oil Board.

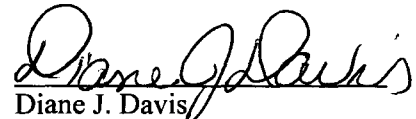
  
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 14 day of Sept, 2009, by an Order of this Board.

  
David E. Asbury Jr.,  
Principal Executive to the Staff  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA )  
COUNTY OF RUSSELL

Acknowledged on this 14<sup>th</sup> day of Sept, 2009, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public #174394

My commission expires: 09 / 30 / 2009



VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: EQT Production Company on behalf of James J Hamilton  
and NRP (Operating) LLC on behalf of ACIN LLC.

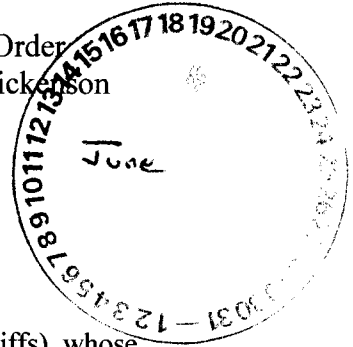
DOCKET NUMBER: VGOB 04/12/14-1372-01

RELIEF SOUGHT: Supplemental Order for Disbursement of Escrowed Funds  
on behalf of James J Hamilton and NRP (Operating) LLC  
on behalf of ACIN LLC.

LEGAL DESCRIPTIONS: Drilling Unit Number 535601 created by Board Order  
Dated April 4, 2005, VGOB 04/12/14-1372 in Dickenson  
County, Virginia.

HEARING DATE: July 21, 2009

MISCELLANEOUS PETITION



1. Parties: Applicants herein are: James J Hamilton, (hereinafter "Plaintiffs), whose address is: 743 Copperhead Road, Coeburn, VA 24230 and NRP (Operating) LLC, (hereinafter "Plaintiffs), whose address is: 5260 Irwin Road, Huntington, WV, 25705.
2. Facts:
  - a. EQT was designated as the Operator and Applicants interests were Pooled in the 535601 Unit by Order of the Virginia Gas and Oil Board (hereinafter "Board") executed on April 4, 2005, pursuant to Docket No. VGOB 04/12/14-1372 and recorded in the Circuit Court Clerk's Office Dickenson County, Virginia on April 6, 2005, Deed Book 410, Page 645 (hereinafter "Order").
  - b. The Order and Supplemental Order required the Escrow Agent named and appointed therein to establish an interest-bearing escrow account for funds pertaining to the above-referenced Unit and subject to escrow pursuant to the terms of the Order.
  - c. The Order and Supplemental Order further required the Operator to deposit bonus and royalty payments with the Escrow agent which could not be made because the person(s) entitled hereto could not be made certain due to conflicting claims of ownership.
  - d. ACIN, LLC (NRP Operating LLC) was a conflicting claimant with the above-listed Plaintiffs with regard to Tract 1 as created by Board Order as VGOB 04/12/14-1372 is the applicable Tracts.

- e. To resolve this conflict, a Letter dated March 27, 2009, signed by John H Mooney, Vice President and Regional Manager of ACIN LLC, (NRP Operating LLC) is attached hereto and incorporated herein as Exhibit "A".
- f. The amounts deposited with the Escrow Agent regarding the Unit need to be determined and distributed accordingly.
- g. Any escrow amount, not yet deposited into the escrow account, held by Operator should also be determined, and distributed to Applicants/Plaintiffs herein, accordingly.
- h. Applicants/Plaintiffs herein do hereby request that the Board enter amended supplemental order for the Unit directing the Escrow Agent and the Operator to disburse to the aforesaid Plaintiff the funds attributable to the previous conflicting claim with ACIN, held in escrow for the VGOB number as listed above.
  - 1. The Applicants certify that the matters set forth in the application, to the best of their knowledge, information, and belief, are true and correct and that the form and content of the Application and conform to the requirements of relevant Board regulations and orders.
  - 2. Legal Authority: Va Code Ann. §45.1-361.1 et seq., 4 VAC 25-160, and such other regulations and Board orders promulgated pursuant to law.
  - 3. Relief Sought: Applicants request that the Board issue amended supplement order amending all prior orders affecting the Unit which amended supplement order will provide as follows:
    - a. Determining the amount of funds attributable to the Applicants/Plaintiffs herein.
    - b. Directing the Escrow Agent to determine the amount of funds attributable to Applicants/Plaintiffs herein, provide an accounting hereof, and disburse the funds on deposit with the Escrow Agent, including any applicable interest, pertaining to the interest in the Unit shown above for distribution.
    - c. Directing the Operator to determine the amount of funds attributable to the Applicants/Plaintiffs herein, provide an accounting thereof, and disburse the units in its hands, if any, subject to escrow but not then on deposit with the Escrow Agent, including any applicable interest, at the time of the Supplemental Order requested therein is executed, attributable to the Applicants/Plaintiffs herein for distribution.
    - d. Directing the Operator to disburse the funds, including any applicable interest, and provide an accounting thereof, which it may receive after the date of the execution of the amended supplemental order requested in the Application, if any,

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attributable to the Applicants/Plaintiff herein, and to  
discontinue the payment of such funds into Escrow.

- e. Granting such other relief as is merited by the evidence and is  
just and equitable whether or not such relief has been  
specifically requested herein.

Dated this 19<sup>th</sup> day of June, 2009.

By:   
\_\_\_\_\_

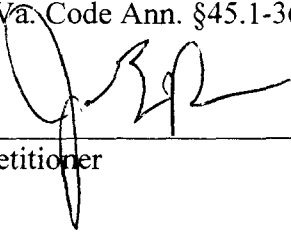
Petitioner

Address:

Wilhoit & Kaiser  
220 Broad St, Ste. 210  
Kingsport, TN 37660

**CERTIFICATE**

The foregoing application to the best of my knowledge, information and belief is true and correct. Notice was given pursuant to Va. Code Ann. §45.1-361.19.

  
\_\_\_\_\_  
Petitioner



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**NRP (OPERATING) LLC**

5260 Irwin Road  
Huntington, WV 25705  
(304) 522-5757 • Fax (304) 522-5401

[jmooney@wpplp.com](mailto:jmooney@wpplp.com)

April 6, 2009  
File: 94-09

Ms. Nicole Atkison  
Land Administration  
EQUITABLE PRODUCTION CO.  
P. O. Box 23536  
Pittsburgh, PA 15222-6536

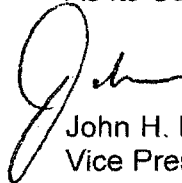
RE: **James J. Hamilton's 2/3 Interest**  
**Permanent Split of CBM Royalty**  
**Gas 20.03 Acres**  
**VC-535601**  
**Dickenson County, VA**

Dear Ms. Atkison:

Please find enclosed signed correspondence from Mr. Hamilton, agreeing to a permanent split of CBM royalty, for your further handling. If you need any other information or assistance, please call ACIN.

Respectfully,

NRP (Operating) LLC  
On Behalf of ACIN LLC  
As Its Sole Member



John H. Mooney  
Vice President & Regional Manager

/db

Attachment

**NRP (OPERATING) LLC**

5260 Irwin Road  
Huntington, WV 25705  
304-522-5757 • Fax 304-522-5401

[jmooney@wpplp.com](mailto:jmooney@wpplp.com)

March 27, 2009  
File No. 94-9.1

Mr. James J. Hamilton  
743 Copperhead Road  
Coeburn, VA 24230

Re: **Permanent Split of CBM Royalty**  
**James J. Hamilton - Oil and Gas 2/3 Interest**  
**Susan C. & Kurtz Lantz – Oil and Gas 1/3 Interest**  
**54.55 Acres**  
**Gas 20.03 Acres**  
**VC-535601**  
**Dickenson County, VA**

Dear Mr. Hamilton

As you are aware, Equitable Production Company ("EPC") has drilled the referenced coalbed methane gas well on tracts of land (the "Property" or "Subject Tract"), in which ACIN LLC ("ACIN") is claiming ownership of coalbed methane due to its ownership of the coal underlying the Property and you own an undivided interest in the gas. The above has created conflicting claims as to the ownership of the coalbed methane gas on the Subject Tracts between ACIN LLC, as current coal owner, and you, as the owner of an undivided interest in the gas. A plat indicating the location of the well within the operating unit is enclosed for your reference. The Commonwealth of Virginia has not made a judicial determination of ownership of coalbed methane (CBM).

Due to our conflicting interests in the Subject Tract, EPC, as operator of the unit, has placed all royalty proceeds attributable to our conflicting interests into an escrow account. These royalty proceeds will remain in the escrow account until either a final legal determination of our conflicting claims to the coalbed methane gas is made or we reach an agreement on the division of the royalty proceeds. The most economical and expedient way to secure a release of the escrowed funds is for us to enter into an agreement which sets forth how the funds are to be distributed. Accordingly, in order to avoid the expense and time required to resolve the ownership question through the courts, ACIN proposes resolving this matter by the agreement described below. Such an agreement will allow us to request distribution of the proceeds presently held in the escrow account and direct payment of all future proceeds.

Mr. James J. Hamilton

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March 27, 2009

ACIN proposes that you receive disbursement of 75% of the proceeds held in the escrow account on the above-mentioned wells and that ACIN receive disbursement of 25% of the proceeds held in the escrow account on the above-mentioned well. ACIN also proposes the same percentage division for all future production payments which may accrue to our conflicting interests from the above-mentioned well. ACIN will, at its sole expense, pursue the administrative process required to secure release of the proceeds held in the escrow account and will absorb all future costs of administering this Letter Agreement. None of these expenses and costs will be deducted from your 75% of the royalty proceeds. It is also agreed that the royalty from any future coalbed methane gas wells drilled upon the subject tract or upon other lands in which the subject tract is pooled therewith will be permanently split in the same 75%/25% proportion.

If this division of proceeds is agreeable with you, ACIN will diligently pursue the administrative processes required to secure release of the proceeds in the escrow account to you and ACIN. You will be provided with copies of the correspondence to EPC, requesting distribution of the escrowed funds as well as the directive to EPC to pay all future royalties and other benefits attributable to our conflicting interests in the same 75%/25% proportion.

This Letter Agreement effects a permanent division of the accrued, suspended or escrowed royalty payments and all future royalty payments on the above-mentioned well and future wells, which is binding upon you, your heirs and assigns and ACIN and its successors and assigns. By entering into this agreement, the parties agree to refrain from making any claim or bringing any suit against the other party attacking the other party's coalbed methane interests set forth in this Letter Agreement. It is expressly agreed by the parties hereto that the division of the accrued, suspended or escrowed royalty payments and all future royalty payments on the above-mentioned well and future wells shall remain subject to this Letter Agreement, regardless of any subsequent judicial determination of ownership of coalbed methane in the Commonwealth of Virginia. Provided, however, nothing contained in this Letter Agreement shall change or alter the parties' common law rights and liabilities or the legal title to their respective coal and gas estates.

By entering into this Letter Agreement, you confirm that you are the current record title owner of a partial interest of the gas estate underlying the Hamilton/Lantz 54.55 acre

Mr. James J. Hamilton

Page 3

March 27, 2009

tract and the current record title owner of the gas estate underlying Tract (1), as shown on the enclosed plat. If you are not the current gas owner, please notify us immediately.

By accepting the terms and conditions of this Letter Agreement, you are directing EPC to disburse royalties in accordance with this agreement. It is understood and agreed that no other terms or conditions of your lease with EPC are affected by this Letter Agreement.

Please evidence your agreement to these terms by signing this Letter Agreement on the line indicated below and returning this Agreement to ACIN in the enclosed self-addressed, stamped envelope. If you have any questions, please do not hesitate to call me at the letterhead phone number.

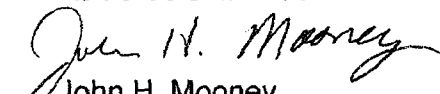
This Letter Agreement remains valid for forty-five (45) days after your receipt of same.

Respectfully,

NRP (OPERATING) LLC

On Behalf of ACIN LLC

As Its Sole Member

  
John H. Mooney

Vice President & Regional Manager

JHM/g

Encls.

**AGREED TO AND ACCEPTED BY** the above terms  
and conditions this 14 day of April, 2009.

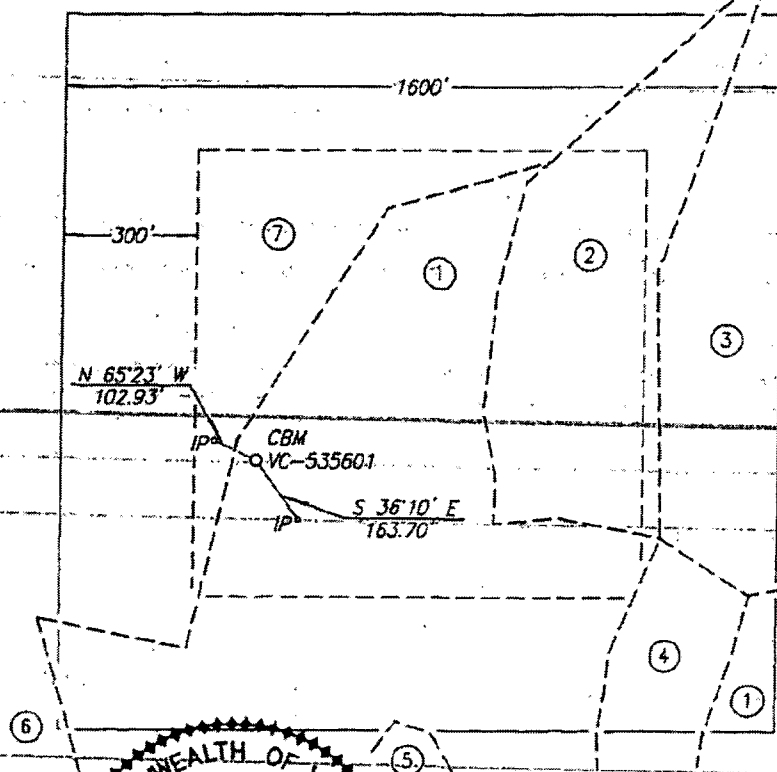
  
JAMES J. HAMILTON

BK 470PG 632

BK 410PG 656  
9,935'Well Coordinates: (Geographic N27)  
37.034872° -82.450856°

Latitude 37° 02' 30"

Longitude 82° 25' 00"

Well elevation determined by GPS  
survey from BM MLB 1576

Area of Unit = 58.77 Ac.

Well Coordinates: (VA St. Plane S. Zone,  
Calculated from CCC coordinates)  
N 279,544 E 847,101Well Coordinates: (Clinchfield Coal Co.)  
S 23,695.12 W 19,662.16

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-535601  
 TRACT NO. Is. No. 904576L ELEVATION 2,424.02' QUADRANGLE Caney Ridge  
 COUNTY Dickenson DISTRICT Kenady SCALE 1" = 400' DATE 10-11-2004  
 This Plat is a new plat X; an updated plat       ; or a final location plat       

+ Denotes the location of a well on United States topographic Maps, scale 1 to 24,000; latitude and longitude lines being represented by border lines as shown.

Licensed Professional Engineer or Licensed Land Surveyor

BK 470PG 633

VGOB 04/12/14-1372

VC-535601

TRACT NO.	OWNER NAME and ADDRESS	SPLIT %	OWNER NET INTEREST	TOTAL NET ESCROW INTEREST	TOTAL AMOUNT IN ESCROW 5/31/2008 Bank Total - \$33084.50 Equitable Total - \$33084.50	OWNER % IN ESCROW 6/30/2008 27.08200890%	OWNER AMOUNT IN ESCROW 03/30/2009 \$8,959.95
1	James J Hamilton 743 Copperhead Road Coeburn, VA 24230	75%	0.0213	0.07865000			
1	ACIN Attn: John H Mooney NRP (Operating) LLC 5260 Irwin Road Huntington, WV 25705	25%	0.00710000	0.07865000	Bank Total - \$33084.50 Equitable Total - \$33084.50	9.02733630%	\$2,986.65

**EXHIBIT E**  
**VC-535601**  
**VGOB 04/12/14-1372**  
Revised 08/06/2008

<u>Gas Estate</u>						
<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
2 OGM ONLY	Jearl Dotson Nancy Dotson, H & W 1478 Dr. Jack Rd. Conowingo, MD 21918	Leased - EPC 905496.05	0.51285700%	0.3014	0.00064107	RI
	Jerry W. Dotson Stella Dotson 1013 Warwick Dr Apt 2A Aberdeen, MD 21001	Leased - EPC 905496.04	0.51285700%	0.3014	0.00064107	RI
	Marie Yates Rt. 5 Box 728 Coeburn, VA 24230	Leased-EPC 905496.06	2.05142900%	1.2057	0.00256429	RI
	Glenn Stallard Rt. HC05 Box 558 Coeburn, VA 24230	Leased - EPC 905496.01	2.05142900%	1.2057	0.00256429	RI
	Josephine Mullins P.O. Box 78 Lexington, NC 27293	Unleased	2.05142900%	1.2057	0.00256429	RI
	Ruth Dotson Rt 3 Box 299E Castlewood, VA 24224	Leased - EPC 905496.10	2.05142900%	1.2057	0.00256429	RI
	Jean Dotson Felty John Edsel Felty, W & H 4359 Corners Rock Rd. Elk Creek, VA 24326	Leased - EPC 905496.02	2.05142900%	1.2057	0.00256429	RI
	Willie Dotson 1378 Cherry Lane Rd. Glade Valley, NC 28627	Leased-EPC 905496.08	0.51285600%	0.3015	0.00064106	RI
	Delores Dotson, widow 13 Woodside Drive Churchville, MD 21028	Leased - EPC 905496.03	0.51285600%	0.3015	0.00064106	RI
3 ID 6197 ID 6198	Georgia Hamilton 541 Charles Street Perryville, MD 21903	Leased-EPC 905496.07	2.05142900%	1.2057	0.00256429	RI
	Douglas A. Stidham, single 123 Marlene Drive Bristol, TN 37620	Unleased	1.06900000%	0.6280	0.00133625	RI
	Omar Dayton Stidham Emma Jean Stidham H & W Route 2 Box 112 Coeburn, VA 24230	Unleased	1.06900000%	0.6280	0.00133625	RI
	Velma Morrell Albert C. Morrell, W & H 319 Hickory Tree Road Bristol, TN 37620	Unleased	1.06900000%	0.6280	0.00133625	RI
	Daril Stidham Debbie Stidham, H & W Route 5 Box 313 Bristol, TN 37620	Unleased	1.06900000%	0.6280	0.00133625	RI

	Garland Stidham Barbara E. Stidham, H & W 106th Terrace North Largo, FL 33543	Unleased	1.06900000%	0.6280	0.00133625	RI
	Allen Stidham Teena M. Stidham, H & W 2046 Valencia Way Clearwater, FL 33516	Unleased	1.06900000%	0.6280	0.00133625	RI
	David Stidham Laura K. Stidham P.O. Box 28452 Charlotte, NC 28213	Unleased	1.06900000%	0.6280	0.00133625	RI
	Lorita Whitley Thomas R. Whitley, W & H 1620 Braund Avenue Clearwater, FL 33516	Unleased	1.06900000%	0.6280	0.00133625	RI
	Dennis Paul Stidham, single Box 1245 Hildebran, NC 28637	Unleased	0.53450000%	0.3140	0.00066813	RI
	Suzy Stidham Hall, single 2127 Grier View Lane Charlotte, NC 28213	Unleased	0.53450000%	0.3140	0.00066813	RI
	Harold Stidham Edith J. Stidham, H & W 10633 Monroe Street Taylor, MI 48180	Unleased	1.06900000%	0.6280	0.00133624	RI
4 OGM ONLY	Susan C. Lantz Kurt Lantz, W & H 17626 Cypress Spring Dr. Spring, TX 77388-5722	Leased - EPC 245516L	0.00000000%	0.0000	0.00000000	RI
5 ID 4590	Booker Beavers Ruby Beavers, H & W Rt. 1, Box 326 Clintwood, VA 24228	Leased - EPC 223068L	0.00000000%	0.0000	0.00000000	RI

COAL ESTATE ONLY

2	ACIN, LLC P.O. Box 2827 Huntington, WV 25727 Attn: John Mooney	Leased - EPC 904576.00	14.36000000%	8.4400	0.01795000	
3	ACIN, LLC P.O. Box 2827 Huntington, WV 25727 Attn: John Mooney	Leased - EPC 904576.00	10.69000000%	6.2800	0.01336250	RI
4	ACIN, LLC P.O. Box 2827 Huntington, WV 25727 Attn: John Mooney	Leased - EPC 904576.00	3.76000000%	2.2100	0.00470000	RI
5	ACIN, LLC P.O. Box 2827 Huntington, WV 25727 Attn: John Mooney	Leased - EPC 904576.00	0.03000000%	0.0200	0.00003750	RI

INSTRUMENT #0900001705  
RECORDED IN THE CLERK'S OFFICE OF  
OICKENSON ON  
SEPTEMBER 16, 2009 AT 09:08AM

RICHARD W. EDWARDS, CLERK  
RECORDED BY: CUF